

DEPOSITION OF WITNESS

IN THE COURT OF THE CHIEF JUDGE, CITY CIVIL COURT, HYDERABAD.

No. 101 of 1976

The

Vs.

Witness No.1

for

Name: D.V. Shiv Rao

S/o Sri Venkataratnam

Age: 79 years

Religion: Hindu

Occupation: Advocate

R/o Vijayawada

States on oath on this the 10th day of February 1976.

I am the plaintiff in the suit. I am an advocate having chamber practice for the last 7 or 8 years at Vijayawada. I have a standing of 50 years at the Bar. I am also an author and have published nearly 35 books and some other articles on history. I have done historical research. I was a student of history in the Presidency College, Madras. I have edited and published the Third Edition of Kasi Yatra Charitra, a manuscript book of Enugula Veeraswami, who was an interpreter of the Supreme Court of Madras. That Manuscript was in the Madras Oriental Library. I edited the third edition in the year 1941. The first edition was published in 1838. The second Edition was published in the year 1869. The copies were rare and therefore I brought out the Third Edition. Though the Manuscript is in the oriental library there were many changes in the First and Second Edition. Those changes in the First and the Second Edition were made by the author himself during his life time. Thus the first edition was brought out after the changes were made by the author in the manuscript itself. Ex.A.1 is the copy of the Third Edition brought out by me. Ex. A.2 is the copy of the Second edition. The language of the manuscript was quaint and archaic. There were many Madras local mannerisms and grammatical mistakes and a number of Tamil and Hindustani terms have ~~been~~ gone into that manuscript. The script is peculiar, quaint and archaic. The whole script was a running matter without any punctuation or paragraphs. I went to Madras Oriental Manuscript Library and saw the manuscript and took extracts from it. Even the Second Edition which is a reproduction of the First Edition is a running matter, without punctuations of paragraphs or chapters. There were only some



DEPOSITION OF WITNESS

IN THE COURT OF THE CHIEF JUDGE, CITY CIVIL COURT, HYDERABAD.

No. 101 of 1976

The

Vs.

Witness No.1

for

Name: D.V. Shiv Rao

S/o Sri Venkataratnam

Age: 79 years

Religion: Hindu

Occupation: Advocate

R/o Vijayawada

States on oath on this the 10th day of February 1976.

I am the plaintiff in the suit. I am an advocate having chamber practice for the last 7 or 8 years at Vijayawada. I have a standing of 50 years at the Bar. I am also an author and have published nearly 35 books and some other articles on history. I have done historical research. I was a student of history in the Presidency College, Madras. I have edited and published the Third Edition of Kasi Yatra Charitra, a manuscript book of Enugula Veeraswami, who was an interpreter of the Supreme Court of Madras. That Manuscript was in the Madras Oriental Library. I edited the third edition in the year 1941. The first edition was published in 1838. The second Edition was published in the year 1869. The copies were rare and therefore I brought out the Third Edition. Though the Manuscript is in the oriental library there were many changes in the First and Second Edition. Those changes in the First and the Second Edition were made by the author himself during his life time. Thus the first edition was brought out after the changes were made by the author in the manuscript itself. Ex.A.1 is the copy of the Third Edition brought out by me. Ex. A.2 is the copy of the Second edition. The language of the manuscript was quaint and archaic. There were many Madras local mannerisms and grammatical mistakes and a number of Tamil and Hindustani terms have ~~been~~ gone into that manuscript. The script is peculiar, quaint and archaic. The whole script was a running matter without any punctuation or paragraphs. I went to Madras Oriental Manuscript Library and saw the manuscript and took extracts from it. Even the Second Edition which is a reproduction of the First Edition is a running matter, without punctuations of paragraphs or chapters. There were only some asterisk marks indicating the dissertations of the author.

(P.T.O.)



I have included the specimen pages of the manuscript in Ex.A.1 from page 18 onwards upto page 33 which is marked as Ex.A.1(a). Those specimen pages were included to show the difference between the language of the manuscript and the language of this edition. Being a student of history, before I published my edition I wrote a lengthy article bringing out all the features relating to the importance of revising and publishing an Edition of the manuscript. I published that Article on 5-2-1941 in Andhra Patrika. Ex.A.3 is the copy of that article published in Andhra Patrika. Kasi Yatra Charitra is the story of Pilgrimage to Banaras of Enugula Veeraswami in the year 1830. He wrote that story in the form of a journal from stage to stage as he passed from Madras to Hyderabad, Nagpur etc. on his onward journey and on his return journey via Calcutta. He included the description of the places he visited, their history etc. the history of the rivers he crossed, the history of the holy places and the manners and customs of the people he saw. He also made observations with regard to Hindu, Muslim and Christian religions. He made references to Mythology and astronomy. He also noted his dissertations and discussions with certain Europeans.

In view of the encyclopaedic nature and the variety of subjects dealt with and in view of its frame work as the journal it was a very difficult task to catalogue, analyse and divide the whole matter subjectwise, and in chronological order. The various paragraphs are inserted in the appropriate chapters. The greatest difficulty was with regard to the lengthy dissertations or discussions which were to be placed either in the beginning of the chapter or in the middle or end and <sup>was</sup> not to overlap the chapters. It was therefore something like a zig <sup>saw</sup> zag puzzle. It required lot of patience and industry to arrange the paragraphs having regard to the sequence and the appropriate place. A comparison of the Second Edition and the Third Edition would give the indication of the amount of effort and labour put by me in arranging the various chapters and paragraphs in the Third Edition at the appropriate places. It also brings out the skill which is required. I have also prepared a route map dividing the route itinerary into 25 main stages. Ex.A.1(b) is that map. I also prepared a key explaining the stages. Ex.A.1(c) contains the details of the said key. I have also arranged the whole material in a manner corresponding to 25 stages and also in conformity with the

(P.T.O.)



key given by me. The chapterwise contents will show this. That is the system I followed. It is not correct to say that I arranged the third edition into 25 chapters following the arrangement of the list of 24 stages contained in the Second Edition. In Ex.A.2 at page 10 the names of 24 towns (Shehars) are given, stating that the details of those 24 towns are given therein. I have reproduced that list in the Third Edition also. In the Second Edition there is no route map. It is not true to say that the arrangement of my book is based on the list of towns given in the second Edition. The arrangement is not made by me according to the 24 stages given in that list. If I were to conform to that pattern it would have resulted in absurdity, as the dissertations could not be categorised stagewise. I prepared a number of footnotes in the Third Edition elucidating historical and other allusions. Ex.A.1(d) is the list of foot-notes prepared by me. At times the foot note occupied 5 or 6 lines and at other stages they covered half a page. I made a research into the life and times of Veeraswamiah and included a special Article in the Third Edition. Ex.A.1(e) is that Article. I also wrote a special article on Solar and Lunar cycles of time and also included that Article in the Third Edition. Ex.A.1(f) is that article. I prepared a glossary of Technical terms and appended the same to this Edition. Ex.A.1(g) is the glossary. It also contains the foreign words for which meanings are also given. The meanings given therein are based on Standard Lexicons and the opinions of some pandits. The glossary contains 7 pages. I prepared an elaborate Index running into 38 pages. Ex.A.1(h) is that Index. The inner title of the IIInd Edition is marked as Ex.A.1(i). It is not correct to say that the first and second editions were published by the Government. The edition was printed and published with the aid of Government. The East India Company was encouraging such publications by granting aid. I have given an exhaustive errata as per Ex.A.1(j) as a number of mistakes have crept in the view of the fact that this was a technical subject and the book was ancient one and the printers were not familiar with the old script. I obtained a copy of the letter of Veeraswamiyya addressed to Mr. C.P. Brown the then Dist. Judge of Masula and also his reply to it and it is included in Ex.A.1 and this is marked as Ex.A.1(k). I filed a photostat copy of that letter together with my translation. It is marked as Ex.A.4. Ex.A.4 also contains the reply of Mr. C.P. Brown. I have given the descriptive catalogue of telugu manuscripts



in the Government Oriental Manuscript Library at page 26 of Ex.A.1 and this is marked Ex.A.1(1).

The Andhra Patrika and Golconda Patrika reviewed my Edition. They also paid tributes to the manner of my editing that book. Exs. A.5 and A.6 are the copies of those reviews. I got my Editions registered under the Press and Registration of Books Act, 1867 showing that I am the owner of the copyright therein. On the outer title of my Edition it stands mentioned that all the copyrights in the Book are reserved in the Editor. Ex.A.1(m) is that matter printed on Ex.A.1, Komaleswaripuram Srinivasa Pillai, Venbakam Raghavachari, George Norton, the then Advocate-General were some of the friends of Veeraswamiah. Ex.A.7 is the photo showing all the four of them together. Ex.A.8 is the extract from the Gazette showing the registration of my Edition. Ex.A.9 is the infringing copy of my Edition, in English. The defendants have practically copied and reproduced all the chapters of my Edition excepting the first ten pages. The defendants adopted certain devices to cover their act of piracy. They split up one paragraph of my book into two or three and at some places they combined 2 or 3 paragraphs of my book into one. I have filed the table showing how they split up the paragraphs and how they clubbed the paragraphs of my book. Exs.A.10 and A.11 are the comparative tables. I have also filed a statement Ex.A.12 showing the mistakes committed by them in translating my edition without taking into consideration the Errata appended to my book. I have given all these details in my plaint. Even the foot notes of my Book were translated by the defendants in Ex.A.9. I gave a comparative table of the translation of the foot-notes. Ex.A.13 is that table. The 2nd defendant abridged the foot note and added botanical names in the foot note while the third defendant incorporated the foot notes in the text itself. I tried to edit my book on the model of a University publication edited by learned professors who edit ancient and historical works. I did not want to disturb the frame work of the manuscript as a journal while at the same time I wanted to impart to it the character of a literary piece. So it is original literary work within the meaning of the Copyright Act. I have also given a comparative table of the number of paragraphs in each chapter of my book and the number of paragraphs in Ex.A.9. Ex.A.14 is the comparative table. The defendants added some portions of the manuscript to my paragraphs in order to cover up the act of piracy. Ex.A.15 is the comparative table showing such additions made by the



defendants to my book. It also shows the abridgements made by defendants. Ex.A.16 is the comparative table of the dissertations occurring in my book, Ex.A.9 and the Second Edition Ex. A.2. I have given a comparative table showing the difference in the towns in the list of the Second Edition and my book and Ex.A.9. Ex. A.17 is that comparative table. I have also filed a comparative table of experimental division to refute the contention of the defendants that my book is based on the list of towns mentioned in Ex. A.2. It is marked as Exs. A.18 and A.18(a). I have prepared a list of meanings which I have given in my book in brackets for the foreign and strange words. These were given in the text itself. Ex. A.19 is that list. I have given a comparative table with regard to the story of Madras as contained in the manuscript, my book and Ex.A.2. Ex.A.20 is that comparative table. Ex. A.21 is the copy of the notice issued to the Govt. under Section 80 C.P.C. Ex.A.22 is the reply given by the first defendant. The other defendants have not sent any reply. In the reply the first defendant did not traverse the facts alleged by me in the suit notice. Andhra Prabha (daily news paper) reviewed the English Version and in contrast my edition was also referred. Ex. A.23 is the said review. The 4th defendant published a rejoinder to that review which was published in Andhra Prabha dated 8-7-1975. Ex.A.24 is that rejoinder.

(Further examination of the witness is deferred as the Court time is over).

Typed to my dictation in open Court under my supervision.  
Read over/to the witness and admitted by him to be correct.

(sd.) --  
CHIEF JUDGE.

15-2-1977: Witness recalled and resworn for further examination in chief.

I included in my edition a Bibliography. It is Ex.A.1(n). Ex.A.9(a) is the route map in the English edition. In the absence of any key the numbers mentioned in Ex.A.9(a) do not make any sense. Ex.A.9 does not contain any key to the said map nor the key given in my edition is reproduced there. Ex.A.2(a) is the list of shers (cities) in Ex.A.2. There is a vast difference between the list of Shahers Ex.A.2(a) and the key in Ex.A.1(c). In Ex.A.2(a) there are no numbers. Ex.A.2(a) starts with Digava Tirupati and Ex.A.1(c) starts with Madras.

(P.T.O.)

and exp-  
lained



In the manuscript and in Ex.A.2 the word "Prayaga" has been used. In my edition Ex.A.1 it is shown as "Allahabad" in brackets. In my book I have given Nos.13 and 14 for Patna as in Ex.A.1(b). The object of giving two numbers is to show that Veeraswamiah visited Patna twice on two different ~~occasions~~ dates. Ex.A.9(b) is a reproduction of my article on Solar and Lunar cycles of times as contained in Ex.A.1(f). In Ex.A.9(c) under the heading "Technical Terms" the terms occurring in the journal are given. In fact they are not technical terms. In Ex.A.9(d) the names of important places are given. My article regarding the birth and date of death of Veeraswamiah as in Ex.A.1(e) were copied in Ex.A.9(e) and Ex.A.9(f). The Joint Director of the 4th defendant copied my article so far it relates to Srinivasa Pillai, in his preface to Ex.A.9. Ex.A.9(g) is the relevant portion. The foot note in Ex.A.1(o) is abridged in foot note Ex.A.9(h). The same thing is done with regard to a number of foot notes.

In Ex.A.1(p) a mistake occurred from the original manuscript. It relates to the word "Pogadi" ( ~~पोगडी~~ ) for Po-ogadi ( ~~पोगडी~~ ). The mistake occurring in Ex.A.1(p) was copied in Ex.A.9(i) translating the word as "Praised" for the word "Gathered" used in the original manuscript. At pages 49, 51 and 65 of Ex.A.9 the name of the resident of Nagpur is spelt as Groome and at another page it is spelt as Graeme. In fact the name of the resident of Nagpur was Green. Veeraswamiah referred to him in his book as "Gream Dora and Green Dora". My research disclosed that the resident of Nagpur was Mr. Green. Mr. Green was Sir Henry Sullivan Graem who acted as Governor of Madras in the place of Sir Thomas Munro in the year 1827. On page ( 68 ) of Ex.A.1, I mistakenly gave the name at the foot note as Mr. Groome. The same mistake is copied in Ex.A.1. I could not correct that word as Mr. Green, even in the errata. In fact the very spelling of the word was copied in Ex.A.9 at first in two pages but in two other pages he carries the same spelling though in the other pages he corrected that spelling.

Typed to my dictation in open court read over and explained to the witness and admitted by him to be correct.

(sd.) --  
Chief Judge.

17-2-1977: Witness recalled and ~~re~~ sworn for further examination in chief.

The word "~~Gream~~ Dora" was printed by mistake at page 68



205  
instead of page 208 in Ex. A.1. The same is copied by the defendants at pages 49, 51 and 65 Ex.A.9. The defendant No.3 committed the same mistake of describing Mr. Green as the Governor of Madras at page 130 of Ex.A.9. The foot note on page 4 of Ex.A.1 was abridged and printed on page 3 of Ex.A.9. The foot note on page 140 in Ex.A.1 was reproduced in the foot note on page 94 of Ex.A.9. The foot note on page 276 of Ex.A.1 is incorporated in the text of Ex.A.9 on page 172 marked as Ex.A.9(d). The corresponding foot note in Ex.A.1 is Ex.A.1(r). The third defendant followed this method of incorporating my foot notes in the body of the text itself. On page 41 of Ex.A.9 as in Ex.A.9(k) the 4th defendant has given the particulars of the production of the translation Ex.A.9. Therein he also admits that Ex.A.9 is the translation into English by way of reproduction of 25 chapters of Ex.A.1. He also admits therein that the salient features of the special article on the life of Veeraswamiiah in Ex.A.1(f) have been copied in Ex.A.9. There however my name was wrongly given. At page 42 of Ex.A.9(1) the Joint Director compares the chapter with my book Ex.A.1. There is no denial of the above statement of the Joint Director by defendants 2 and 3 in their introduction. On page 26 of Ex.A.9 marked as Ex.A.9(m) in foot note Nos. 4 and 7 there is a reference to my name. I wanted to edit the word as "Sunkamu Nirakha" by which I mean there is no tariff settlement. In the footnote by Mr. Brown the meaning of "Nirakha" is given as tariff settlement. In foot note No.7 in Ex.A.9(m) the word "Nirakha" is sought to be read as totally meaningless. Mr. C.J. Brown in his dictionary cites Veeraswamiiah as an authority for the words "Indrani, Seedha, Polakattu, Phalavarakaya". I have mentioned this in my special article in Ex.A.1. Mr. Brown was the District Judge of Machilipatan and was a contemporary of Veeraswamiiah. On page 10 of Ex.A.9 marked as Ex.A.9(n) the 2nd defendant mentions that he has to <sup>get</sup> a readable copy of the manuscript prepared. That copy is not filed into Court. In that introduction he has given even the names of his Assistants. I have given comparative tables of the mistakes committed by defendants 2 and 3 in translating the book. Exs. A.25 and A.26 are those tables. In Ex.A.1 itself I have also marked the combinations, splitting up of paragraphs. All other details are contained in the comparative tables. I have also given explanatory notes therein. Ex.A.1 has been used by number of scholars for their research and thesis as a source. Dr. K. Veerabhadra Rao, now of the Telugu Academy published a thesis "Influence of English on Telugu" and for publication of his thesis he <sup>referred</sup> to my Edition of Kasi yam Chaitanya (and referred to me)



with my permission. Ex.A.27 is the letter of Mr. Veerabhadra Rao thanking me for according permission to make use of my edition. Incidentally he also sought my advice for using the portions of the published works of Col. Mecanzi and Mr. Brown. While reviewing my book late S. Pratap Reddy of Colconda Patrika extracted some portions of my book Ex.A.1. He also referred to this book in his book "Social History of Andhras". Mr. B. Gopala Reddy (Bangoray) a senior Research Officer in C.P. Brown Project in the Department of Telugu in Sri Venkateswara University referred to my work in all his three books. Late Sri Viswanadha Satyanarayana has published a book "Gajya Charitra"<sup>d n drika</sup>. In that book he included portions of my book Ex.A.1. Incidentally he dedicated one of his books "Pralaya Naidu" to me. Ex.A.28 is a Hand Book of Telugu Literature published by the Hyderabad Telugu Academy in 1943. At Ex.A.28(a) my book is referred as a recent Telugu prose work. There is also reference to me as an untiring research scholar. Ex.A.29 is a letter from the Archaeological Dept. of the Andhra University for furnishing a copy of my edition. In Ex.A.30 Dr. G.N. Reddy refers to my edition "Kasi Yatra Charitra" and also its translation into English by the Govt. of A.P. Dr. G.N. Reddy before publishing Ex.A.30 gave a radio talk on the same subject. In Ex.A.9 the defendants for their own reasons omitted the letter of Veeraswamaiah addressed to Mr. C.P. Brown but the Joint Director in his preface at page 41 refers to this letter. From the letter Ex.A.4 it appears that Veeraswamaiah compiled that book but the Joint Director says that K. Srinivasa Pillai has compiled this book. The Educational Secretary also follows him. Ex.A.1(1) shows that the printed copy was an abridged one.

My numerous articles on Veeraswamaiah, C.P. Brown, Pachyappa etc. led to the establishment of C.P. Brown Research project in the Telugu Department of Sri Venkateswara University. On the last day of the last month that University published the letters of Mr. Brown. That book also mentions my notes and the manuscripts on C.P. Brown. C.P. Brown published a book "Tatacharyula Kathalu" in 1955, historical tales. Mr. C.P. Brown also translated some stories into English. Vavilla Ramaswamy <sup>published a second edition</sup> Company brought out a new edition of "Tatacharyula Kathalu". <sup>edited by Bangoray</sup> He dedicated that book to me. I have been a member on a number of committees constituted by the Govt. of A.P. including Glossary Committee, Academy of History and Sciences etc. On 21-8-1959 Dr. Rajendra Prasad, President of India released my book

(P.T.O.)



"African Nationalism" published by the Telugu Academy. Ex.A.31 is the memorandum of Association of the Telugu, Urdu Academy of Science and History. I was shown as the member of the Academy. I was also a member of the Editorial Committee. Ex.A.32 is a copy of the speech of the then speaker Sri A. Kaleswara Rao. At page 4 i.e., Ex.A.32(a) there is a reference to me. I am the author of two volumes on the History of Andhra Pradesh made ready for publication by the said Academy. I have done research on the history of British India and also on the history of Andhra Pradesh. I also wrote a book along with Dr. Pattabhi Sitaramayya. I also contributed articles <sup>in</sup> Telugu Bhasha <sup>Encyclopaedia</sup> Sahithi published by the Telugu Bhasha Academy of Madras. I also. I also contributed articles to the Telugu Encyclopaedia of Hyderabad edited by Sri Lakshminiranjan. Ex.A.33 is the list of my books published and unpublished. In 1966 the Govt. of Andhra Pradesh honoured me as a Historian and Writer. Ex.A.34 is the various articles and messages published on that occasion. Ex.A.35 is the History of the Bar Association, Bezwada. I was its President in the year 1947. Ex.A.36 is a reply by the 4th defendant to a letter of mine published in Andhra Prabha daily dt. 14-6-1975. Defendants 2 and 3 were called upon by I.A. No.2264/76 to produce the draft of Ex.A.9 but they have not produced the same for the reason that the very arrangement or reproduction of my edition would be borne out by it. My copyright in Ex.A.1 subsists under the new Copyright Act of 1957. My prayer is for a declaration that Ex.A.9 is a substantial reproduction of my edition Ex.A.1 and for an injunction restraining the defendants from publishing any portion of my book and for restraining them for infringing copyright in Ex.A.1 and for an account of the number of books of Ex.A.9 published by them and also for transfer of the said stocks to me. I also asked for an account of the profits made by the defendants and for costs and other relief. I also prayed for recovery of profits with 6% interest.

#### CROSS EXAMINATION (Deferred)

Typed to my dictation in open Court under my supervision. Read over and explained to the witness and admitted by him to be correct.

(sd.) --  
Chief Judge.

18-2-1977:

Witness recalled and resworn for cross-examination:

(P.T.O.)



**CROSS EXAMINATION:**

I had no objection if my suggestions were accepted for bringing out an edition of Kasi Yatra Charitra as in 1941 as per the suggestions made by me in Ex.A.3. A few months after Ex.A.3 I published my edition Ex.A.1. It is not true to say that in Ex.A.3 I suggested that Veeruswamian's Kasi Yatra Charitra should be published in English so that the people may be benefited all over the world. In fact there was no Telugu edition; the question of its translation into English would not have arisen. What I suggested in Ex.A.3 is that the edition of Kasi Yatra Charitra if published would gain equal popularity as the Pepys's Diary. The first one in the year 1838 was an abridged Edition of the manuscript. The second Edition came out in the year 1869. The second edition of 1869 was a reprint of 1838 edition. In my edition Ex.A.1 I extracted the opinion of Gidugu Venkata Ramamurthy Garu, a great scholar. What is said by him in his comments was correct. Srinivasa Pillai while bringing out the first edition also included a biographical sketch of Veeruswamiah. In my Introduction (Poethika) to Ex.A.1 I made a reference to all the changes and improvements made by me in editing Ex.A.1 compared to the Second Edition Ex.A.2. Ex.B.1 in Ex.A.1 is the matter in relation to which I brought out the third edition. It is not true to say that my edition Ex.A.1 is confined only to the matters specified in Ex.B.1. While I am grateful to Srinivasa Pillai for the biographical sketch given by him in the first edition of 1838, I have not copied the same in my edition. While I reprinted that biographical sketch I also supplemented it. Some copies of 1941 edition were bound in the year 1943. It was not republished again. Though I have an idea of publishing it again as the cost of paper has gone up and as I have other liabilities, I can only do it if the Govt. grants some aid. It is not true to say that the copies of my edition were not available in the market. In fact they were sold at a premium. In fact I sold some of the copies to Professors and Scholars even at the rate of Rs.15/- per copy. In 1941 one thousand copies of my edition were printed. The edition was not printed again. By the end of 1942 only 200 copies were sold out of one thousand. In those days there was not much demand for them. In 1943 and 1944 nearly 200 more copies might have been sold. I cannot give the number of copies sold in each year. There was some slump for some time and 3 or 4 years later they were sold again. By the end of 1970 I was having nearly 100 copies of my edition with me. Even now I may be having 25 to 30 copies with me.



case of/

Adarsha Grandha Mandal of Vijayawada which is my agent for the sale of the edition is not having any copies of the books with them now. Whenever there is an enquiry for the copies of my edition, that book stall passes on that letter to me. M/s Seshachalam Company wrote a letter to me saying that the Sahitya Academy has recommended the republication of my edition. It therefore asked me to send a copy of my edition in order to enter upon negotiation with me. That was in the year 1972. The book reading habit is likely to overlap. It is not necessary that the Telugu reading public must be different with the english reading public. By the publication of Ex.A.9 it is not a case of affecting the sales of my publication but the defendants made lot of profits. I have no idea as to the number of copies of Ex.A.9 sold by the defendants. That is a thing within the personal knowledge of the defendants. According to me Ex.A.9 was an attempt at a literal translation of Ex.A.1 but they failed. They added something, omitted something from the edition just to cover up the act of piracy. It is not a mere plagiarism but an infringement of my copyright. Ex.A.9 is a bad translation and also a mistranslation. I have given a comparative table of mistranslations, the idioms used by Veeraswamiah in the explanations. The foot notes and annotations are mine. Veeraswamiah himself revised the manuscript for purpose of sending it to press. He tried to get it printed. After his death Srinivasa Pillai published the first edition of the material as revised by Veeraswamiah. That 1838 edition was printed in the year 1869. I revised the second edition and brought my edition as Ex.A.1. Translation of the Second edition amounts to translation of Veeraswamiah's book. The distinguishing features between my edition and the first edition by Srinivasa Pillai are that I gave punctuation marks, divided into paragraphs chronologically, dissertations of long paragraphs etc. I then divided into appropriate chapters fitting the paragraphs into the chapters. The various marks of punctuation were a later development in Telugu language and at the time when Veeraswamiah revised his work those punctuation marks were unknown to Telugu language. It is not correct to say that Ex.A.9 contains more material than Ex.A.1. The paragraphs of Ex.A.1 have been copied in Ex.A.9. It is not true to say that the paragraphs and chapters of Ex.A.1 were not copied in Ex.A.9. Of course the punctuation marks as are incidental to a particular language might be slightly different in Ex.A.1 and Ex.A.9. As I have already stated some paragraphs of mine are combined into one and



and some paragraphs are split up in Ex.A.9. But the matter remains the same. Some chapters are also split up.

Q: I put it to you that the difference between Ex.A.1 and A.2 in form and substance is less than the difference in form and substance of Ex.A.1 and A.9.

A: As far Exs. A.1 and A.9 there is no difference. Between Ex.A.1 and A.2 the difference is with regard to the improvements made by me in editing my book and the special features of my edition I have already given.

I have taken the map of India and prepared the route taken by Veeraswamaiah and pointed out the various stages. I gave numbers to the various stages and prepared a key for the route map giving also intermediary stages, rivers crossed and the dates of his visits to those places. In Ex.A.2 the 24 cities mentioned therein are culled out from the original journal. I have described myself as an editor of Ex.A.1 and I am not its author. In the Preface to Ex.A.1 I have mentioned that my object was to publish the Second Edition as it is. The witness adds - The following lines of the said Preface show the improvements I intended to make in that edition. My work is both a historical and a literary one. I am claiming my copyright under the Act of 1957. The original text of Veeraswamaiah as contained in Ex.A.2 was reproduced by me in Ex.A.1. It is possible to produce parts of Ex.A.9 with the aid of Ex.A.2 and the manuscript, without the paragraphs, without the chapters divisions etc.

Q: I put it to you that Ex.A.9 is mainly taken from the original manuscript and Ex.A.2.

A: That is not the case of the defendants. I did not summon the original manuscript from the Oriental Manuscript Library, Madras. I only called upon the counsel for the defendants to produce the same.

The solar and Lunar cycles of time is a matter of Science and can be known by any person. The language in literary work is the most important one. From page 26 of Ex.A.1 the whole matter is translated as it is in Ex.A.9.

Q: I put it to you that Ex.A.9 is radically different from Ex.A.1.



A: It is totally incorrect. In Ex.A.9 the method of my arrangement is copied. Witness adds:

Mr. Vadlamudi Gopala Krishna, the Joint Director of the 4th defendant admitted in his Preface to Ex.A.9 that all the 25 chapters of my book are reproduced in Ex.A.9. But in Ex.A.9 they split up that number into and made it of 29 chapters. He also gave a comparative table as to how they were split up. In the Act of 1914 there was no provision for registration of the book. But under the Press and Books Registration Act of 1869 the press that publishes my book shows the registration of the book. Under the Act of 1957 the registration of the book is not compulsory. I have not registered my book under this Act and it is not entered in the Register of Copyrights, as required under the new Act. It is not true to say that my rights in the book with regard to translation ceased after 1951. It is not true to say that under the Act of 1957, Section 2(m) does not ~~ix~~ make a translation an infringement of the copyright. It is not true to say that the manuscript of Ex.A.1 was ready when I published the article Ex.A.3. It took me nearly 5 or 6 months to edit Ex.A.1 and publish the same after publication of Ex.A.3. The original manuscript can be considered as the source of the abridged edition of 1838. Ex.A.2 and my edition Ex.A.1. My original ideas and opinions, my research work in Ex.A.1 were copied in Ex.A.9.

Q: I put it to you, without admitting, or without prejudice to the stand of the Government, if the Government acknowledges that Ex.A.9 is the translation of your work Ex.A.1, are you prepared to withdraw the suit?

Ans: That would be adding insult to injury. After I was totally defamed by Vadlamudi Gopalakrishnaiah that I have not done any research at all. At any rate it is too late to retrace.

It is not true to say that my work Ex.A.1 is merely based on Ex.A.2, the earlier abridged version of 1838 and the original manuscript. It is not true to say that Ex.A.9 is a translation of Ex.A.2 or the abridged version of 1838 or the original manuscript.

Re-examination: Nil

(sd.) --  
Witness

(P.T.O.)



Typed to my dictation in open court under my supervision.  
Read over and explained to the witness and admitted by him to  
be correct.

(ad.) -- --  
Chief Judge